

courts of the several counties in this State to levy a road tax and to lease the roads on certain conditions." Read second time.

Senator Mills moved that House bill No. 381 be referred to the Committee on Finance. Lost.

On motion of Senator Broughton, House bill No. 381 was indefinitely postponed.

Senator Bell moved a suspension of the rules to take from file House bill No. 249, "An act to incorporate the Galveston and New Orleans Railway Company."

Motion to suspend the rules lost.

Senator Mills moved that the Senate stand adjourned to 10½ A. M. to-morrow.

Yeas and nays called for, and motion to adjourn carried by the following vote:

Yeas—Mr. President, Baker, Bell, Bowers, Evans, Flanagan, Hall, Latimer, Mills, Parsons, Pridgen, Pyle, Rawson—13.

Nays—Broughton, Cole, Dehoney, Douglas, Ford, Gaines, Hertzberg, Hillebrand, Pettit, Ruby, Shannon, Tendick—12.

So the Senate at 11:30 A. M. adjourned to 10½ A. M. to-morrow.

SEVENTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, Tuesday, Sept. 19, 1871. }

Senate met pursuant to adjournment. President Campbell presiding. Roll called. Quorum present.

Absent—Senators Fountain and Saylor.

Absent, excused—Senator Pickett.

Prayer by the Chaplain.

Journal of yesterday read and adopted.

Under authority of the resolution of yesterday, the President announced the following additional members of the Judiciary Committee: Senators Flanagan, Douglas, Mills and Broughton.

PETITIONS AND MEMORIALS.

By Senator Rawson: A petition of J. N. Coleman, asking to be relieved of the payment of occupation tax. Read and referred to the Committee on Judiciary.

On motion of Senator Flanagan, Senator Saylor was excused for the day on account of illness.

REPORTS OF STANDING COMMITTEES.

Report of Committee on Contingent Expenses :

COMMITTEE ROOM, }
Austin, Sept. 18, 1871. }

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Contingent Expenses, to whom were referred the following accounts, (as per accompanying vouchers) have had the same under careful consideration, and recommend that they be paid :

ACCOUNT OF W. G. THOMAS.

For indexing and preparing for the press printed journals
of Senate, sixty-one days.....\$488 00

ACCOUNT OF L. M. BRADLEY.

For bringing up unfinished business of Senate after adjourn-
ment, thirty days.....\$240 00

Your committee also recommend the adoption of the accompany-
ing resolution, as a substitute for the resolution relative to newspa-
pers, referred to them September 15, 1871.

Respectfully,

J. S. MILLS, Chairman.

Resolved, That the operation of all resolutions providing for
newspapers to be furnished members of this body, be and the same
are hereby suspended until arrangements can be made for sending
the same off by mail.

Report and resolution read.

Senator Gaines moved to suspend the rules to consider the report.

Motion lost and report laid over under the rules.

REPORTS OF SELECT COMMITTEES.

Report of select committee on petition of the judge and attor-
neys-at-law of the Seventeenth Judicial District :

COMMITTEE ROOM, }
Austin, Sept. 19, 1871. }

Hon. DON CAMPBELL,

President of the Senate.

SIR: Your special committee, to whom was referred petition of
judge and attorneys-at-law of Seventeenth Judicial District, have
had the same under consideration, and they beg leave to report that
the main objects of said petition will be subserved by the passage of
Senate bills Nos. 153 and 154, which have been favorably reported
on by Judiciary Committee.

THOMAS H. BAKER, Chairman.

Report read and laid over under the rules.

BILLS AND RESOLUTIONS.

By Senator Cole: A bill (Senate bill No. 455) to be entitled "An act to authorize Mrs. W. E. Weaver, her associates and assignees, to erect a toll bridge across Rock Creek, in Hopkins county." Read first time and referred to the Committee on Roads, Bridges and Ferries.

By Senator Flanagan: A bill (Senate bill No. 456) to be entitled "An act to make a new apportionment for Representative and Senatorial Districts of the State of Texas." Read first time and referred to the Committee on State Affairs.

By Senator Douglas: A bill (Senate bill No. 457) to be entitled "An act to amend an act entitled 'an act to provide for the registration of voters,' approved July 11, 1870." Read first time and referred to the Committee on Judiciary.

By Senator Douglas: A bill (Senate bill No. 458) to be entitled "An act to amend an act to incorporate the Sabine and Neches Bridge Company, passed May 18, 1871." Read first time and referred to the Committee on Roads, Bridges and Ferries.

11 O'CLOCK A. M.

SPECIAL ORDER.

Senate joint resolution No. 39, "Resolution authorizing and requiring the Governor of the State to issue an order for a general election, to be had on the third Tuesday of January, 1872."

Senator Bowers made the point of order that the resolution was not properly before the Senate, for the reason that the purposes of the motion to set the bill for a particular day, and from day to day thereafter, was accomplished by the engrossment of the bill, and that such a motion, adopted by a simple majority vote, could not operate to change the order of business, which requires a two-thirds vote to bring a bill before the Senate out of its regular order.

The President ruled the point of order not well taken, and the resolution properly before the Senate for action.

Senator Gaines moved to postpone the special order until after completion of the morning call. Lost.

By leave of the Senate, Senator Ruby presented the following report of the Committee on Engrossed Bills:

COMMITTEE ROOM,
Austin, Sept. 19, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills, having examined and

compared Senate bill No. 437, "An act to regulate in part, the receipt and disbursement of public money;" Senate bill No. 444, "To amend an act entitled 'an act to incorporate the city of Corsicana, in Navarro county,' approved May 31, 1871," and Senate joint resolution No. 39, "Authorizing and requiring the Governor of the State to issue an order for a general election, to be had on the third Tuesday of January, 1872," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Report read and received.

Message from the House by the Chief Clerk, Mr. Gallant, transmitting for concurrence House bills as follows:

House bill No. 696, "An act to be entitled 'an act to regulate the times of holding courts in the Eleventh Judicial District.'"

House bill No. 710, "An act to incorporate the Corpus Christi and Rio Grande Railroad Company."

House bill No. 717, "An act to incorporate the Union Club of the city of San Antonio."

Consideration of special order (Senate joint resolution No. 39) resumed:

On motion of Senator Ruby the resolution was read the third time.

Senator Ruby moved the final passage of the resolution.

Yeas and nays were called for and Senate joint resolution No. 39 passed by the following vote:

Yeas—Mr. President, Baker, Bell, Broughton, Cole, Dohoney, Flanagan, Ford, Gaines, Hall, Hertzberg, Hillebrand, Latimer, Mills, Parsons, Pettit, Pridgen, Pyle, Rawson, Ruby, Shannon, Tendick—22.

Nays—Bowers, Douglas, Evans—3.

Bills and resolutions resumed:

By Senator Dohoney: A bill (Senate bill No. 459) to be entitled "An act to repeal 'an act providing for the payment of the outstanding indebtedness of the counties,' passed July 21, 1870." Read first time and referred to the Committee on Judiciary.

Also, a resolution (Senate joint resolution No. 41), "Joint resolution proposing to repeal section forty of article twelve of the State Constitution." Read first time and referred to Judiciary Committee.

By leave, Senator Parsons submitted the following reports of the Judiciary Committee:

COMMITTEE ROOM, }
Austin, Sept. 19, 1871. }

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Judiciary, to whom was referred Senate bill No. 440, entitled "An act to amend the twenty-second section of 'an act to provide for districting the State of Texas into judicial districts,' approved July 2, 1870," instruct me to report the same back and recommend its passage.

Respectfully,

W. H. PARSONS, Chairman.

COMMITTEE ROOM, }
Austin, Sept. 19, 1871. }

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your Committee on Judiciary, to whom was referred Senate bill No. 441, entitled "An act to amend the twenty-third section of 'an act prescribing the times of holding the district courts in the several judicial districts in the State,' approved August 10, 1870," instruct me to report the same back and recommend its passage.

Respectfully,

W. H. PARSONS, Chairman.

Reports read.

On motion of Senator Baker, the rules were suspended to consider Senate bill No. 440 and report of Judiciary Committee thereon. Bill read second time, ordered engrossed and passed to a third reading.

On motion of Senator Baker, the rules were further suspended and Senate bill No. 440 read third time and passed.

On motion of Senator Baker, the rules were suspended to consider Senate bill No. 441 and report of Judiciary Committee thereon. Bill read second time, ordered engrossed and passed to a third reading.

On motion of Senator Baker, the rules were further suspended and Senate bill No. 441 read third time and passed.

Under direction of the President the Secretary returned to the House House bill No. 548, "An act to prohibit the sale of intoxicating liquors in the vicinity of Seyene Masonic Male and Female Institute," informing the House that the Senate had passed the same without amendment.

Also, with amendment, House bill No. 689, "An act amendatory

of an act entitled 'an act prescribing the times of holding the district courts in the Seventh Judicial District of the State,' approved March 4, 1871."

BILLS ON A THIRD READING.

House bill No. 405, "An act to amend 'an act prescribing the times of holding the district courts in the several judicial districts in the State.'"

Senator Pridgen offered the following amendment which was adopted: Amend by striking out sections two and three.

Bill read third time as amended, and on motion of Senator Pridgen, was passed.

House bill No. 621, "An act to authorize G. B. Slaughter and D. T. Easley to erect a toll bridge across the mouth of Guthrie creek and Grace's creek, in the county of Upshur, Texas." Read third time, and on motion of Senator Douglas, the bill was laid on the table.

Senator Baker arose to a question of privilege, and moved that the Senate proceed to the consideration of the veto message of his Excellency the Governor on Senate bill No. 222, "An act making an appropriation for the mileage and *per diem* pay of the members, and the *per diem* pay of the officers and employes of the Twelfth Legislature of the State of Texas."

The question being, "Will the Senate, upon reconsideration, agree to pass the bill?"

Senator Bowers moved a call of the Senate. Call sustained.

Absent—Senators Fountain and Ruby.

Absent, excused—Senators Pickett and Saylor.

The Sergeant-at-Arms was dispatched for the absentees.

Senator Ruby appeared and offered his excuses for absence, which, upon motion of Senator Bowers, were accepted by the Senate.

Senator Gaines moved to adjourn to 10 A. M. to-morrow. Lost.

On motion of Senator Flanagan the call was suspended.

Senator Flanagan moved that the bill (Senate bill No. 222) and the veto message of the Governor be referred to a select committee of five, with request to report to-morrow at 11 A. M. Carried.

The President appointed as such committee Senators Flanagan, Bowers, Dohoney, Ruby and Parsons.

On motion of Senator Bowers, Senator Mills was added to the Committee.

On motion of Senator Ruby the rules were suspended to take from file Senate bill No. 438, a bill to be entitled "An act to discontinue the Criminal Court of Galveston and Harris counties, and to transfer the causes pending therein."

Senator Hall moved that Senate bill No. 438 be indefinitely postponed.

Yeas and nays called for, and motion to indefinitely postpone carried by the following vote:

Yeas—Baker, Bowers, Broughton, Cole, Evans, Gaines, Hall, Hertzberg, Hillebrand, Latimer, Mills, Pridgen, Pyle, Shannon, Tendick—15.

Nays—Mr. President, Bell, Dohoney, Douglas, Flanagan, Ford, Parsons, Pettit, Rawson, Ruby—10.

By leave, Senator Dohoney introduced a bill (Senate bill No. 460) to be entitled "An act to provide for and regulate mechanics', contractors', builders' and other liens in the State of Texas." Read first time and referred to the Judiciary Committee.

By leave, Senator Mills introduced a bill (Senate bill No. 461) to be entitled "An act making appropriations for deficiencies for the support of the State Government for the fiscal year beginning September 1, 1871, and ending August 31, 1872." Read first time and referred to the Committee on Finance.

On motion of Senator Douglas the Committee on State Affairs was requested to report upon Senate bill No. 448, "An act to prescribe the time for the regular annual session of the Legislature for the year 1872," to-morrow at 11 A. M., and that the report and bill be made the special order for that hour.

On motion of Senator Baker, the Senate at 12:30 A. M., adjourned to 10:30 A. M. to-morrow.
